

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0023

JERRY SALAZAR,

Petitioner and Appellant,

v.

STATE OF MONTANA,

Respondent and Appellant.

FILED
MAR 16 2010
Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

The record was filed for purposes of Jerry Salazar's appeal of the denial of his petition for postconviction relief on February 23, 2010. Salazar has now filed a request for "extension of time in order to give me enough time to write a motion with copies so I can request for a court appointed counsel."

Salazar is cautioned that, in general, the right to appointed counsel in criminal matters ends following direct appeal. *See* § 46-8-103, MCA.

Under M. R. App. P. 13(1), the appellant's opening brief is due 30 days after the date on which the record is filed. However, absent objection by the opposing party, that time may be extended by 30 days. *See* M. R. App. P. 26(1). Here, Salazar does not indicate whether opposing counsel objects to his motion for extension of time, as is required under Rule 26. However, no objection has been filed.

IT IS ORDERED that Salazar is granted an extension of time until April 26, 2010, in which to prepare, file, and serve on opposing counsel his opening brief for this appeal.

The Clerk is directed to provide copies of this Order to all counsel of record and to Jerry Salazar personally.

DATED this 14th day of March, 2010.

For the Court,

By [Signature]
Chief Justice